



Eric Gonzalez
District Attorney

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KINGS COUNTY**
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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: James Famiano
MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

IN JANUARY 2012, MOS JAMES FAMIANO TESTIFIED [REDACTED]

[REDACTED] IN AN ORAL DECISION [REDACTED]

[REDACTED] J. PICHOLZ FOUND [REDACTED]

[REDACTED] THE NATURE OF THE TESTIMONY "STRAIN[ED] CREDIBILITY".

Disclosure #2:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S) AGAINST MOS FAMIANO:

1. MOS FAMIANO FAILED TO MAKE ACTIVITY LOG ENTRIES REGARDING HIS PARTICIPATION IN AN INCIDENT WHICH OCCURRED ON 6/14/12.
2. MOS FAMIANO FAILED TO PREPARE A UF-250 REGARDING A STOP THAT OCCURRED ON 6/14/12.

CLOSED: 12/12/13

ACTION TAKEN: SCHEDULE B COMMAND DISCIPLINE AND WARNED & ADMONISHED

IN REGARD TO THE ABOVE INCIDENT, MOS FAMIANO WAS FOUND GUILTY AFTER AN NYPD DEPARTMENTAL TRIAL OF THE FOLLOWING CHARGES AND SPECIFICATIONS:

ON 06/14/2012, WHILE MOS FAMIANO WAS ON DUTY IN KINGS COUNTY:

ALLEGATION(S):

1. MOS FAMIANO STOPPED THE VEHICLE IN WHICH AN INDIVIDUAL KNOWN TO THE DEPARTMENT WAS AN OCCUPANT WITHOUT SUFFICIENT LEGAL AUTHORITY.
2. MOS FAMIANO WRONGFULLY AND WITHOUT JUST CAUSE FRISKED SAID INDIVIDUAL WITHOUT SUFFICIENT LEGAL AUTHORITY.
3. MOS FAMIANO WRONGFULLY AND WITHOUT JUST CAUSE SEARCHED SAID INDIVIDUAL WITHOUT SUFFICIENT LEGAL AUTHORITY.

CLOSED: 01/30/2015

ACTION TAKEN: FORFEITURE OF FIFTEEN VACATION DAYS

Disclosure # 4:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 01/04/2012, AGAINST MOS FAMIANO:

1. MEMOBOOK INCOMPLETE/IMPROPER

CASE STATUS: CLOSED ON 03/07/2014

ACTION TAKEN: LETTER OF INSTRUCTION

Disclosure # 5:

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT:

1. TERRENCE FORTE V. CITY OF NEW YORK, ET AL, 15-CV-03302, FILED IN THE EASTERN DISTRICT
2. TOYIA WALKER AND GREGORY MCLEAN V. CITY OF NEW YORK, ET AL, 007761/2014, FILED IN KINGS COUNTY SUPREME COURT

IN ADDITION, BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

DISCLOSURE #6:

CCRB CASE: 201208424

REPORT DATE: 6/29/2012

INCIDENT DATE: 6/14/2012

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE – FRISK
2. ABUSE – SEARCH (OF PERSON)
3. ABUSE – VEHICLE STOP

NYPD DISPOSITION: SUBSTANTIATED, PENALTY: FORFEIT 15 VACATION DAYS

OTHER MISCONDUCT NOTED:

1. FAILURE TO PREPARE A MEMO BOOK ENTRY
2. FAILURE TO PRODUCE A STOP AND FRISK REPORT

Disclosure #7:

CCRB CASE: 201301569

REPORT DATE: 03/12/2013

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

SEE ATTACHMENT BELOW.

Eric Gonzalez
District Attorney
Kings County